

**U.S. District Court**  
**Eastern District of TEXAS [LIVE] (Sherman)**  
**CIVIL DOCKET FOR CASE #: 4:19-cv-00705-ALM**

Coleman et al v. Brozen et al  
Assigned to: District Judge Amos L. Mazzant, III  
Cause: 28:1132 E.R.I.S.A.

Date Filed: 09/27/2019  
Date Terminated: 05/26/2020  
Jury Demand: None  
Nature of Suit: 791 Labor: E.R.I.S.A.  
Jurisdiction: Federal Question

**Plaintiff**

**Jason Coleman**  
*on behalf of the RVNB Holdings, Inc. Employee Stock Ownership Plan, and on behalf of a class of all other persons similarly situated*

represented by **Gregory Yann Porter**  
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**Plaintiff**

**Jessica Casey**

*on behalf of the RVNB Holdings, Inc. Employee Stock Ownership Plan, and on behalf of aa class of all other persons similarly situated*

represented by **Gregory Yann Porter**

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**LEAD ATTORNEY**

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**Alexandra Langley Serber**

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**James L. Kauffman**

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**Thomas Robert Ajamie**

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V.

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**Defendant**

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**Defendant**

**Mike Paxton**

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**Defendant**

**Paul Generale**

*TERMINATED: 04/03/2020*

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**Defendant**

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*LEAD ATTORNEY**PRO HAC VICE**ATTORNEY TO BE NOTICED***Christopher S. Dodrill**

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*LEAD ATTORNEY**PRO HAC VICE**ATTORNEY TO BE NOTICED***Christopher S. Dodrill**

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*ATTORNEY TO BE NOTICED***Defendant****Nicole Peterson 2012 Irrevocable Trust**represented by **Christopher M LaVigne**

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*LEAD ATTORNEY***Defendant****Brooke Peterson 2012 Irrevocable Trust**represented by **Christopher M LaVigne**

(See above for address)

*LEAD ATTORNEY*

Date Filed	#	Docket Text
09/27/2019	1	COMPLAINT against All Defendants ( Filing fee \$ 400 receipt number 0540-7455463.), filed by Jessica Casey, Jason Coleman. (Attachments: # 1 Civil Cover Sheet, # 2 Summons(es) for Robert Peterson, # 3 Summons(es) for Vasilia Peterson, # 4 Summons(es) for Paul Generale, # 5 Summons(es) for Nick Bouras)(Ajamie, Thomas) (Attachment 1 replaced on 9/30/2019) (rpc, ). (Entered: 09/27/2019)
09/27/2019	1	Case Assigned to District Judge Sean D. Jordan. (rpc, ) (Entered: 09/30/2019)
09/30/2019	1	In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice Regarding Consent to Proceed Before Magistrate Judge</i> . (rpc, ) (Entered: 09/30/2019)

10/04/2019	<u>i</u> <u>2</u>	SUMMONS Issued as to Mike Paxton. (rpc, ) (Entered: 10/04/2019)
10/04/2019	<u>i</u> <u>3</u>	SUMMONS Issued as to Neil M. Brozen. (rpc, ) (Entered: 10/04/2019)
10/04/2019	<u>i</u> <u>4</u>	SUMMONS Issued as to Nick Bouras. (rpc, ) (Entered: 10/04/2019)
10/04/2019	<u>i</u> <u>5</u>	SUMMONS Issued as to Robert Peterson, Jr. (rpc, ) (Entered: 10/04/2019)
10/04/2019	<u>i</u> <u>6</u>	SUMMONS Issued as to Sterling Investment Partners III, L.P. (rpc, ) (Entered: 10/04/2019)
10/04/2019	<u>i</u> <u>7</u>	SUMMONS Issued as to Vasilia Peterson. (rpc, ) (Entered: 10/04/2019)
10/04/2019	<u>i</u> <u>8</u>	SUMMONS Issued as to Paul Generale. (rpc, ) (Entered: 10/04/2019)
10/11/2019	<u>i</u> <u>9</u>	TRANSFER ORDER. It is hereby ORDERED that this civil action is transferred to the Honorable Amos L. Mazzant, effective immediately. Signed by District Judge Sean D. Jordan on 10/11/2019. (baf, ) (Entered: 10/11/2019)
10/17/2019	<u>i</u> <u>10</u>	SUMMONS REISSUED as to Mike Paxton. (baf, ) (Entered: 10/17/2019)
11/04/2019	<u>i</u> <u>11</u>	Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Vasilia Peterson.( LaVigne, Christopher) (Entered: 11/04/2019)
11/04/2019	<u>i</u> <u>12</u>	Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Paul Generale.( LaVigne, Christopher) (Entered: 11/04/2019)
11/05/2019	<u>i</u>	Defendant's Unopposed FIRST Application for Extension of Time to Answer Complaint is granted pursuant to Local Rule CV-12 for Vasilia Peterson to 11/20/2019. 14 Days Granted for Deadline Extension.( baf, ) (Entered: 11/05/2019)
11/05/2019	<u>i</u>	Defendant's Unopposed FIRST Application for Extension of Time to Answer Complaint is granted pursuant to Local Rule CV-12 for Paul Generale to 11/18/2019. 14 Days Granted for Deadline Extension.( baf, ) (Entered: 11/05/2019)
11/08/2019	<u>i</u> <u>13</u>	<b>***DEFICIENT DOCUMENT – PLEASE DISREGARD***</b>  STIPULATION by Jessica Casey, Jason Coleman. (Ajamie, Thomas) Modified on 11/12/2019 (baf, ). (Entered: 11/08/2019)
11/12/2019	<u>i</u>	NOTICE of Deficiency regarding the JOINT STIPULATION submitted DOCUMENT <u>13</u> – A MOTION AND PROPOSED ORDER ARE REQUIRED. Correction should be made by ONE BUSINESS DAY (baf, ) (Entered: 11/12/2019)
11/13/2019	<u>i</u> <u>14</u>	Joint MOTION for Extension of Time to File Answer / <i>Set Response Deadline</i> by Jessica Casey, Jason Coleman. (Attachments: # <u>1</u> Text of Proposed Order Granting Joint Motion to Set Response Deadline)(Ajamie, Thomas) (Entered: 11/13/2019)
11/15/2019	<u>i</u> <u>15</u>	ORDER – GRANTING <u>14</u> Motion for Extension of Time to Answer. Signed by District Judge Amos L. Mazzant, III on 11/15/2019. (baf, ) (Entered: 11/15/2019)
01/14/2020	<u>i</u> <u>16</u>	NOTICE of Attorney Appearance – Pro Hac Vice by James L. Kauffman on behalf of All Plaintiffs. Filing fee \$ 100, receipt number 0540-7610230. (Kauffman, James) (Entered: 01/14/2020)
01/14/2020	<u>i</u> <u>17</u>	NOTICE of Attorney Appearance – Pro Hac Vice by Alexandra Langley Serber on behalf of All Plaintiffs. Filing fee \$ 100, receipt number 0540-7610276. (Serber, Alexandra) (Entered: 01/14/2020)
01/14/2020	<u>i</u> <u>18</u>	NOTICE of Attorney Appearance – Pro Hac Vice by Ryan Thomas Jenny on behalf of All Plaintiffs. Filing fee \$ 100, receipt number 0540-7610292. (Jenny, Ryan) (Entered: 01/14/2020)

01/14/2020	<u>12</u>	NOTICE of Attorney Appearance – Pro Hac Vice by Gregory Yann Porter on behalf of All Plaintiffs. Filing fee \$ 100, receipt number 0540–7610321. (Porter, Gregory) (Entered: 01/14/2020)
02/03/2020	<u>120</u>	NOTICE of Attorney Appearance by Xenia Nicole Figueroa on behalf of Neil M. Brozen (Figueroa, Xenia) (Entered: 02/03/2020)
02/03/2020	<u>121</u>	Joint MOTION to Set Date Certain for Defendants to Answer or Otherwise Respond to the Complaint by Nick Bouras, Paul Generale, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P.. (Attachments: # <u>1</u> Text of Proposed Order Order Granting Joint Motion to Set Date Certain For Defendants to Answer or Otherwise Respond to the Complaint)(LaVigne, Christopher) (Entered: 02/03/2020)
02/04/2020	<u>122</u>	ORDER – GRANTING <u>21</u> Motion to Set Date Certain for Defendants to Answer or Otherwise Respond to the Complaint. The Court ORDERS that the deadline for Defendants to respond to the Complaint is March 16, 2020. Signed by District Judge Amos L. Mazzant, III on 2/4/2020. (baf, ) (Entered: 02/04/2020)
02/04/2020	<u>123</u>	NOTICE of Attorney Appearance – Pro Hac Vice by J Christian Nemeth on behalf of Neil M. Brozen. Filing fee \$ 100, receipt number 0540–7645299. (Nemeth, J) (Entered: 02/04/2020)
02/19/2020	<u>124</u>	NOTICE of Attorney Appearance by Christopher S. Dodrill on behalf of Nick Bouras, Paul Generale, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P. (Dodrill, Christopher) (Entered: 02/19/2020)
03/16/2020	<u>125</u>	MOTION to Dismiss <i>Defendant Sterling Investment Partners III Motion to Dismiss and Brief in Support</i> by Sterling Investment Partners III, L.P.. (Attachments: # <u>1</u> Text of Proposed Order Granting Defendant Sterling Investment Partners III Motion to Dismiss)(LaVigne, Christopher) (Entered: 03/16/2020)
03/16/2020	<u>126</u>	ANSWER to <u>1</u> Complaint, <i>and Affirmative Defenses</i> by Neil M. Brozen.(Figueroa, Xenia) (Entered: 03/16/2020)
03/16/2020	<u>127</u>	MOTION to Change Venue <i>Defendants Motion to Transfer Venue to the Northern District of Texas Pursuant to Valid Forum Selection Clause</i> by Nick Bouras, Paul Generale, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P.. (Attachments: # <u>1</u> Exhibit 1 – Peterson Declaration, # <u>2</u> Exhibit 2 – Bouras Declaration, # <u>3</u> Exhibit 3 – Generale Declaration, # <u>4</u> Text of Proposed Order Granting Defendants Motion to Transfer Venue to the Northern District of Texas Pursuant to Valid Forum Selection Clause)(LaVigne, Christopher) (Entered: 03/16/2020)
03/16/2020	<u>128</u>	ANSWER to <u>1</u> Complaint, <i>Answer and Defenses to Complaint by Defendants Robert Peterson, Vasilia Peterson, Paul Generale, Mike Paxton, Nick Bouras, and Sterling Investment Partners III</i> by Nick Bouras, Paul Generale, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P..(LaVigne, Christopher) (Entered: 03/16/2020)
03/18/2020	<u>1</u>	Counsel are reminded that the Court has not opted out of this court's Local Rules concerning courtesy copies; therefore, Counsel are asked to comply with Local Rule CV–5(a)(9) and Local Rule CV–10(b) with respect to sending courtesy copies to Judge Mazzant. Please send copies of pleadings that exceed 20 pages to Judge Mazzant's chambers. Please use tabs and dividers for exhibits, and please place voluminous pleadings in three–ring binder(s). (tls) (Entered: 03/18/2020)
03/18/2020	<u>129</u>	NOTICE of Attorney Appearance – Pro Hac Vice by Todd D. Wozniak on behalf of All Defendants. Filing fee \$ 100, receipt #0540–7713957. (jmv, ) (Entered: 03/18/2020)
03/24/2020	<u>130</u>	ORDER GOVERNING PROCEEDINGS. Rule 26 Meeting Report due by 4/27/2020. Rule 16 Management Conference set for 5/12/2020 at 09:30 AM in Ctrm 208 (Sherman) before District Judge Amos L. Mazzant III. Signed by District Judge Amos L. Mazzant, III on 3/24/2020. (rpc, ) (Entered: 03/24/2020)

03/24/2020	<a href="#">Case 3:20-cv-01358-E Document 50 Filed 05/27/20 Page 8 of 9 PageID 530</a>	<u>31</u> Unopposed MOTION to Amend/Correct <u>15</u> Order on Motion for Extension of Time to Answer by Jessica Casey, Jason Coleman. (Attachments: # <u>1</u> Text of Proposed Order)(Ajamie, Thomas) (Entered: 03/24/2020)
03/25/2020	<u>32</u>	ORDER – GRANTING <u>31</u> Motion to Amend Order. It is ORDERED that the deadline for Plaintiffs to file an amended complaint as of right pursuant to Fed. R. Civ. P. 15(a) is April 3, 2020; the deadline for Defendants to respond to the amended complaint is May 4, 2020; if Defendants file Rule 12 motions, Plaintiffs shall have until May 25, 2020, to file oppositions; Defendants shall have until June 8, 2020, to file replies; and Plaintiffs shall have until June 22, 2020, to file sur-replies. Signed by District Judge Amos L. Mazzant, III on 3/25/2020. (baf, ) (Entered: 03/25/2020)
04/03/2020	<u>33</u>	AMENDED COMPLAINT against All Defendants, filed by Jessica Casey, Jason Coleman.(Ajamie, Thomas) (Entered: 04/03/2020)
04/06/2020	<u>34</u>	ORDER – DENYING AS MOOT <u>25</u> Motion to Dismiss. Signed by District Judge Amos L. Mazzant, III on 4/6/2020. (baf, ) (Entered: 04/06/2020)
04/09/2020	<u>35</u>	ORDER. Pending before the Court is Defendants' Motion to Transfer Venue to the Northern District of Texas Pursuant to a Valid Forum Selection Clause (Dkt. <u>27</u> ), to which no response has been filed. Plaintiffs shall file a response no later than April 16, 2020, or notify the Court that there is no opposition. Signed by District Judge Amos L. Mazzant, III on 4/9/2020. (baf, ) (Entered: 04/09/2020)
04/14/2020	<u>36</u>	MOTION to Stay <i>Defendants' Motion for Temporary Stay of Discovery</i> by Nick Bouras, Brooke Peterson 2012 Irrevocable Trust, Nicole Peterson 2012 Irrevocable Trust, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P.. (LaVigne, Christopher) (Additional attachment(s) added on 4/15/2020: # <u>1</u> Text of Proposed Order) (baf, ). (Entered: 04/14/2020)
04/16/2020	<u>37</u>	RESPONSE to Motion re <u>27</u> MOTION to Change Venue <i>Defendants Motion to Transfer Venue to the Northern District of Texas Pursuant to Valid Forum Selection Clause filed by Jessica Casey, Jason Coleman.</i> (Attachments: # <u>1</u> Affidavit Declaration of J. Casey, # <u>2</u> Affidavit Declaration of J. Coleman, # <u>3</u> Text of Proposed Order Proposed Order)(Ajamie, Thomas) (Entered: 04/16/2020)
04/21/2020	<u>38</u>	REPLY to Response to Motion re <u>27</u> MOTION to Change Venue <i>Defendants Motion to Transfer Venue to the Northern District of Texas Pursuant to Valid Forum Selection Clause (Defendants' Reply in Support of Their Motion to Transfer Venue [ECF No. 27]) filed by Nick Bouras, Brooke Peterson 2012 Irrevocable Trust, Neil M. Brozen, Paul Generale, Nicole Peterson 2012 Irrevocable Trust, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P..</i> (Attachments: # <u>1</u> Exhibit A – Declaration of Robert Peterson, # <u>2</u> Exhibit B – Declaration of Mike McWherter)(LaVigne, Christopher) (Entered: 04/21/2020)
04/23/2020	<u>39</u>	NOTICE of Discovery Disclosure by Nick Bouras, Brooke Peterson 2012 Irrevocable Trust, Nicole Peterson 2012 Irrevocable Trust, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P. ( <i>Defendants Notice of Service of Their Initial Disclosures</i> ) (LaVigne, Christopher) (Entered: 04/23/2020)
04/23/2020	<u>40</u>	NOTICE of Discovery Disclosure by Jessica Casey, Jason Coleman ( <i>Plaintiffs Notice of Disclosure</i> ) (Serber, Alexandra) (Entered: 04/23/2020)
04/27/2020	<u>41</u>	REPORT of Rule 26(f) Planning Meeting. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Text of Proposed Order)(Ajamie, Thomas) (Entered: 04/27/2020)
04/28/2020	<u>42</u>	SUR-REPLY to Reply to Response to Motion re <u>27</u> MOTION to Change Venue <i>Defendants Motion to Transfer Venue to the Northern District of Texas Pursuant to Valid Forum Selection Clause filed by Jessica Casey, Jason Coleman.</i> (Ajamie, Thomas) (Entered: 04/28/2020)

04/28/2020	<u>43</u>	RESPONSE in Opposition re <u>36</u> MOTION to Stay Defendants' Motion for Temporary Stay of Discovery filed by Jessica Casey, Jason Coleman. (Ajamie, Thomas) (Entered: 04/28/2020)
05/04/2020	<u>44</u>	REPLY to Response to Motion re <u>36</u> MOTION to Stay Defendants' Motion for Temporary Stay of Discovery (Defendant's Reply in Support of Motion for Temporary Stay of Discovery) filed by Nick Bouras, Brooke Peterson 2012 Irrevocable Trust, Neil M. Brozen, Paul Generale, Nicole Peterson 2012 Irrevocable Trust, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P.. (LaVigne, Christopher) (Entered: 05/04/2020)
05/04/2020	<u>45</u>	ANSWER to <u>33</u> Amended Complaint by Nick Bouras, Brooke Peterson 2012 Irrevocable Trust, Paul Generale, Nicole Peterson 2012 Irrevocable Trust, Mike Paxton, Robert Peterson, Jr, Vasilia Peterson, Sterling Investment Partners III, L.P..(LaVigne, Christopher) (Entered: 05/04/2020)
05/04/2020	<u>I</u>	In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice Regarding Consent to Proceed Before Magistrate Judge</i> . (baf, ) (Entered: 05/04/2020)
05/04/2020	<u>46</u>	MOTION for Judgment on the Pleadings <i>and Brief in Support</i> by Sterling Investment Partners III, L.P.. (Attachments: # <u>1</u> Text of Proposed Order Granting Defendant Sterling Investment Partners III, L.P.'s Motion for Judgment on the Pleadings)(LaVigne, Christopher) (Entered: 05/04/2020)
05/04/2020	<u>47</u>	<i>Affirmative Defenses and</i> ANSWER to <u>33</u> Amended Complaint by Neil M. Brozen.(Figueroa, Xenia) (Entered: 05/04/2020)
05/04/2020	<u>I</u>	NOTICE of Hearing: The Court hereby RESETS the time of the 5/12/2020 Scheduling Conference. Conference reset for 10:30 AM before District Judge Amos L. Mazzant III, via telephone. Attorneys are instructed to call the Conference Number at 10:25 AM: 888-363-4749; Access Code: 1588844, followed by #. (tls) (Entered: 05/04/2020)
05/04/2020	<u>48</u>	MOTION for Judgment on the Pleadings <i>and Brief in Support</i> by Brooke Peterson 2012 Irrevocable Trust, Nicole Peterson 2012 Irrevocable Trust. (Attachments: # <u>1</u> Text of Proposed Order Granting Motion for Judgment on the Pleadings)(LaVigne, Christopher) (Entered: 05/04/2020)
05/06/2020	<u>49</u>	MEMORANDUM OPINION AND ORDER. Defendants' Motion to Transfer Venue to the Northern District of Texas Pursuant to a Valid Forum Selection Clause (Dkt. <u>27</u> ) is GRANTED. This civil action is hereby transferred to the United States District Court for the Northern District of Texas, Dallas Division. Signed by District Judge Amos L. Mazzant, III on 5/6/2020. (baf, ) (Entered: 05/06/2020)
05/11/2020	<u>I</u>	In light of the 5/6/20 Memorandum Opinion and Order (Dkt. #49), the May 12, 2020 Scheduling Conference is CANCELLED. (tls) (Entered: 05/11/2020)
05/26/2020	<u>I</u>	Interdistrict transfer to the NORTHERN District of TEXAS DALLAS Division. (baf, ) (Entered: 05/26/2020)